



9200/2625
#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 06730001AA (2035365-0001)

STOICA, A.

Examiner: Johnson, Timothy

Serial No.: 09/442,445

Group Art Unit: 2625

Filed: November 17, 1999

Confirmation No.: 5867

For: SYSTEM AND METHOD FOR PERFORMING PATTERN
MATCHING IMAGE COMPRESSION

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AUG 09 2004

Technology Center 2600

REQUEST FOR WITHDRAWAL OF ABANDONMENT OF APPLICATION

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Assistant Commissioner for Patents
Washington, D.C. 20231

OCT 01 2004

Sir:

**DIRECTOR OFFICE
TECHNOLOGY CENTER 2600**

Applicant requests withdrawal of abandonment of the application. Applicant submits the following facts:

1. On November 17, 1999, Applicant filed the present application. A copy of a date stamped post card evidencing the filing of the application is attached hereto as Exhibit A.
2. On January 22, 2002, March 18, 2002 and August 18, 2003 Applicant filed a "Status Inquiry" with the U.S. Patent and Trademark Office ("PTO") to determine the status of the above-identified application. A copy of a date stamped post card evidencing the filing of the Status Inquiries is attached hereto as Exhibit B.
3. On April 26, 2002, May 3, 2002 and August 27, 2003 McGuireWoods received communications from the PTO, indicating a status of the application; however, as of the date of the Notice of Abandonment, Applicant's undersigned representative

has not received any further communications from the PTO with regard to the examination or the merits for this application.

4. A Notice of Abandonment was finally mailed by the PTO on July 9, 2004. This Notice of Abandonment indicated that Applicant failed to timely respond to an office letter mailed on January 22, 2003.
5. Applicants have not recorded any office action dated January 22, 2003, and are of the belief that such office action was lost in the mail.
6. McGuireWoods LLP has multiple redundant procedures for docketing operations (including docketing of PTO Office Actions). These docketing procedures include the docketing of both reminder dates and final due dates. By way of specific example, at the time of mailing of the PTO Office Action of January 22, 2003 and at the times for timely response (April 23, 2003 and July 22, 2003) these multiple docketing operations, which are cross referenced for accuracy and completeness, included:
 - A. Date stamping of all incoming U.S. Patent Office communications including PTO Office Actions,
 - B. Entry of U.S. Patent Office communications, including PTO Office Actions, for both reminder dates and final due dates, into a widely recognized commercial patent docketing system available from Computer Packages, Inc.,

- C. Manual entry of final due dates in a handwritten (manual) ledger and docket file cards, at which time the computer entered dates are cross-checked, and
 - D. Docket reminders maintained by individual attorneys and their secretaries.
7. As of the filing of this Request for Withdrawal of Abandonment of Application, Applicant did not receive the Non-Final Office Action of January 22, 2003 in the above-identified application. We have reviewed the file associated with the application and found no Non-Final Office Action of January 22, 2003.
8. The Non-Final Office Action was not received by McGuireWoods LLP because no entries for this communication were made in any of the computer ledger or the docketing card file, while all of the docketing systems are completely consistent in regard to other actions including other separate actions pending in other applications.
9. Copies of the docketing report of McGuireWoods LLP from the week including April 22, 2003 (the three-month date) and from the week including July 22, 2003 (the six-month date) demonstrate no record of the Office Action mailed on January 22, 2004. These copies are attached hereto as Exhibit C.
10. As such, it appears that the abandonment was due to a mailing error on the part of the U.S. Patent and Trademark Office, or U.S. Postal Service.

In view of the fact that Applicant did not receive the Non-Final Office Action mailed on January 22, 2003, Applicant now respectfully requests that the abandonment of the above-

identified application be withdrawn. Applicant further requests that the Non-Final Office Action be re-mailed to Applicant's undersigned representative, thus resetting the time to respond to the Non-Final Office Action.

Applicant does not believe any fees are now due. To the extent necessary, please charge any shortage in fees due in connection with this application, including extension of time fees, to Deposit Account No. 23-1951 (Attorney Docket No. 02410214AA) and credit any excess fees to the same Deposit Account.

In the alternative, Applicants petition that the application went abandoned unintentionally under the provisions of 37 C.F.R. §1.137(b). The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional. In this case, charge all necessary fees to Deposit Account No. 23-1951. In reviving the application, Applicant also requests that the Non-Final Office Action be resent so that Applicant may respond as required. If the application is received revised, please charge all necessary fees to our Deposit Account No. 23-1951.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a long horizontal flourish extending to the right.

Andrew M. Calderon
Registration No. 38,093

McGuireWoods LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-4215
Telephone No: (703) 712-5426
Facsimile No: (703) 712-5285

EXHIBIT A



POST OFFICE



TO

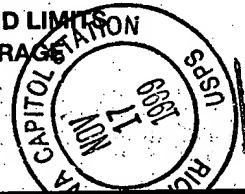
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POST OFFICE
TO ADDRESSEE



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SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE



Customer Copy
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code 23219	Day of Delivery First <input checked="" type="checkbox"/> Second <input type="checkbox"/>
Date In 11/17/99	Postage \$ 21.25
Time In 11:46 AM	Return Receipt Fee
Weight 3 lbs. 8 ozs.	Int'l Alpha Country Code
No Delivery Weekend <input type="checkbox"/>	Acceptance Clerk Initials L
CUSTOMER METHOD OF PAYMENT Express Mail Code	COD Fee Insurance Fee
Federal Agency Postal Service Acct. No.	Total Postage & Fees \$ 21.25

FROM: (PLEASE PRINT) MCGUIRE WOODS BATTLE & BOOTHE 901 E CARY ST FL 1 RICHMOND VA 23215-4057 lacouch - 0287385-0408 Genicom	PHONE (804) 775 1000
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TO: (PLEASE PRINT) Assistant Commissioner for Patents BOX PATENT APPLICATION Washington, DC 20231 Technology Center 2600	PHONE ()
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PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.gov

Applicant: Adrian STOICA

Date: November 17, 1999

Serial No.: Unassigned

Group Art Unit:

Filing Date: November 17, 1999

Date: November 17, 1999

Applicant: Adrian STOICA

Group Art Unit: Unassigned

Serial No.: Unassigned

Examiner: Unassigned

Filing Date: November 17, 1999

For: SYSTEM AND METHOD FOR PERFORMING PATTERN
MATCHING IMAGE COMPRESSION

Instrument:

a Utility Patent Application Transmittal Letter, Utility Patent Application including 33 pages of specification, 5 pages of claims (claims 1-25) and 1 page of abstract, 15 pages of Formal Drawings (Figures 1-15), Assignment Document and Assignment Document Cover Sheet, Declaration and Power of Attorney, Check No. 664886 in the amount of \$890.00 and an Express Mail Certificate

The Official date stamp of the U.S. Patent and Trademark Office hereon is evidence of the fact that subject instrument for the above-identified case has been received by the U.S. Patent and Trademark Office.



EXHIBIT B

Genicom
0281395-0-13
C



THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICIAL MAILROOM STAMP
AFFIXED HERETO ACKNOWLEDGES RECEIPT OF THE ITEMS MAILED, LISTED BELOW:
1st Class
MAILED VIA EXPRESS MAIL

SERIAL NO.: 09/442,445
DATE MAILED: 1/27/02

APPLICANT: Adrian Stoica
FOR: System and Method for Performing Pattern Matching Image Compression

PATENT APPLICATION TRANSMITTAL
FEE TRANSMITTAL
PRIORITY DOCUMENTS
PATENT APPLICATION

DEPOSIT ACCOUNT NO.
SMALL ENTITY STATEMENT
CHECK FOR \$ (check no.)
specification sheets
claims number
drawings sheets

INFORMATION DISCLOSURE STATEMENT (in duplicate)
ASSIGNMENT
PETITION
COMBINED DECLARATION
POWER OF ATTORNEY
PROVISIONAL

PTO 1449 references
ASSIGNMENT RECORD TRANSMITTAL
XX OTHER Status inquiry, cover letter
Cert of mailing and postcard
executed unexecuted
CONTINUATION DIVISIONAL

Docket No.: 0287385-0408
Atty: PEM

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Technology Center 2000

☒ Log

☒ Docket

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MAR 05 2002

McGUIREWOODS LLP

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2035 212
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THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICIAL MAILROOM STAMP
AFFIXED HERETO ACKNOWLEDGES RECEIPT OF THE ITEMS MAILED, LISTED BELOW:

SERIAL NO.: 09/442,445
DATE MAILED: 3/18/02

APPLICANT: Adrian Stoica
FOR: System and Method for Performing
Pattern Matching Image Compression

DEPOSIT ACCOUNT NO. 13-0437

CHECK FOR \$ (check no.)
specification sheets
claims number
drawings sheets

PTO 1449
ASSIGNMENT RECORD TRANSMITTAL
OTHER Cover ltr, Status Inquiry,
Postcard and Cert of mailing
executed unexecuted
CONTINUATION DIVISIONAL

Atty: PEM

Docket No.: 0287385-0408

MAR 25 2002

PATENT APPLICATION TRANSMITTAL
FEE TRANSMITTAL
PRIORITY DOCUMENTS
PATENT APPLICATION
INFORMATION DISCLOSURE
STATEMENT (in duplicate)
ASSIGNMENT
PETITION
COMBINED DECLARATION
POWER OF ATTORNEY
PROVISIONAL

☒ Log

☒ Docket

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APR 02 2002

McGUREWOODS LLP

Inventor:	Adrian STOICA	Date:	August 18, 2003
Serial No.:	09/442,445	Group Art.:	2721
Filing Date:	November 17, 1999	Examiner:	Unassigned
For:	SYSTEM AND METHOD FOR PERFORMING PATTERN MATCHING IMAGE COMPRESSION	Atty. Docket:	06730001AA (2035365-0001)

Commissioner for Patents:

Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:

1. A Follow-Up Status Inquiry; and
2. Two Acknowledgement postcards.

HAND DELIVERED

Andrew M. Calderon, Esq.
Registration No. 38,093



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EXHIBIT C

ays follow

2004 109th day - 257 days follow
Holocaust Remembrance Day

SUNDAY 18 APRIL



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AUG 09 2004

Technology Center 2600

APR

19

MONDAY

2004 110th day - 256 days follow



61920164AA	09/853,642	FOA·DOD
02410279US	10/655,299	IF
61920167CA	10/351,525	IF

APR

21

WEDNESDAY

2004 112th day - 254 days follow
Administrative Professionals Day (US)

61920211AA

09/985,030

0A-DDD

03280064AA

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09/931,112

0A-DDD

6192055AA

09/755,193

3-mo. DA

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06580012 AA	09/899,218	0A-DDD
00240308 US	09/571,681	0A-DDD
00240311 US	09/641,495	0A-DDD
61610062 AA	10/610,873	Missing Pts
07190002 AA	09/873,084	IF
61920214 AA	09/887,411	3-mo. F0A
00240302 US	09/546,802	3-mo. F0A

APRIL 23 FRIDAY

2004 114th day - 252 days follow

0719000ZAA

09/873,084

FOA-DDD

61920224AA

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OA-DDD

61920186AA

09/964,639

OA-DDD

61610015AA

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~~OA-DDD~~

00240313US

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61610044AA

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00240312 US

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GA-NDP

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GA-NDP

JULY 18 SUNDAY

2004 200th day - 166 days follow



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2004 201st day - 165 days follow

MONDAY 19 JULY

JULY



TUESDAY

2004 202nd day - 164 days follow

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61920155AA

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JULY

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THURSDAY

2004

204th day - 162 days follow

61920214AA

09/887,111

FOA - DDD

00240302US

09/546,802

FOA - DDD

619ZD188AA

09/924, 761

FOA. 000

JULY **24** SATURDAY

2004 206th day - 160 days follow

